

REMARKS

This amendment is submitted in full response to the outstanding Non-Final Office Action dated February 7, 2006, on the merits in the above-identified patent application.

Despite having previously allowed claims 21-27, and 32-37 in the Office Action dated August 23, 2005, the Examiner now rejects Applicant's claims 21, 22, 25-28, 32, and 34-37 under 35 U.S.C. 103 (a). In rejecting Applicant's claims under 35 U.S.C. 103 (a), the Examiner relies on the previously cited reference to Galiani (5,471,347) in combination with two newly cited references to Masden (2004/0059689) and Dempsey et al (6,796,673).

The Examiner relies on the published patent application to Masden as the primary reference and cites Galiani to show a magnifying sheet in a restaurant booklet, and Dempsey et al to show an illuminated signaling device on a guest check presenter booklet.

The reference to Masden discloses a guest check presenter booklet having a top cover and a bottom cover. The booklet is opened to reveal inner faces of the top and bottom covers. The inner face of the bottom cover has a first pocket 140 for holding a restaurant check and a second pocket 140 for holding a credit card. The inner face of the opposing top cover has a calculator 160 and a light 150.

In rejecting Applicant's claims 21, 22, 25-28, 32, and 34-37 under 35 U.S.C. 103 (a), the Examiner states that Masden discloses Applicant's claimed invention except for the recitation of a magnifying sheet and a signaling device. As noted above, the Examiner relies on Galiani and Dempsey et al to show the magnifying sheet and the signaling device, as claimed by Applicant.

In relying on Masden, as the primary reference, the Examiner states that Masden discloses a check presentation system with a bill folder, a tip calculator and a light source on the top side of the cover panel that is backlit for projecting light outwardly and inside of the bill folder. However, a careful review of the reference to Masden reveals that the light 150 is preferably a light emitting diode (LED) that throws a light directionally on the tip calculator 160. The tip calculator 160 in the Masden bill folder is directly below the light 150, on the inside face on the same top cover. The pocket 140 that holds the restaurant check (i.e. sheet substrate with patrons bill printed thereon) is on the opposite cover panel (i.e. the back cover panel) and nowhere near the calculator 16. Masden specifically states that the light 150 is structured to throw light directionally on the tip calculator 160 (see paragraph 0020 on page 2). Accordingly, it is clear that Masden uses the light 150 for the specific purpose of lighting the tip calculator 160. In fact, Masden specifically states...“So that a patron may more easily use the tip calculator 160 in darker restaurants, a light 150 is provided in a preferred

embodiment. The light is preferably a light emitting diode (LED) that throws a light directionally on the tip calculator 160.” It can then be concluded that Masden does not intend to direct light onto the sheet substrate containing the patrons restaurant bill (i.e. check) which is held on the other cover panel. In fact, there is no teaching or suggestion in Masden, considered alone or in combination with Galiani and Dempsey et al, of a light emitting device for illuminating the sheet substrate held on the booklet, as specifically claimed by Applicant.

Applicant’s original claim 21 recites a booklet comprising a top cover and a bottom cover, an inner face of the bottom cover being structured and disposed for holding a sheet substrate thereon,...and a light emitting device for illuminating the sheet substrate. As noted above, the light 150 in Masden is not structured, nor is it intended to direct light onto a sheet substrate held within the pocket 140 on the opposite covered panel. The references to Galiani and Dempsey et al fail to teach or suggest a light emitting device for illuminating a sheet substrate held on the booklet.

Accordingly, it is respectfully submitted that the rejection of Applicant’s original independent claim 21 under 35 U.S.C. 103 (a) based on the combination of Masden, Galiani, and Dempsey et al has been overcome. It is further submitted that claims 22-27, that depend from base claim 21, are allowable.

Applicant's independent claim 28 recites, in part, ...a light emitting source including a backlight device on the top side of the cover panel for directing light outwardly therefrom and through the sheet substrate placed thereon. Clearly the reference to Masden fails to teach or suggest a light emitting source for directing light onto a sheet substrate. Moreover, Masden fails to teach or suggest a light emitting source including a backlight device on the top side of the cover panel for directing light outwardly therefrom and through the sheet substrate thereon, as specifically recited in Applicant's claim 28. As previously noted, the light 150 in Masden is specifically structured to throw a light directionally on the tip calculator 160, directly below the light 150. Masden fails to teach or suggest directing light onto the sheet substrate (i.e. patrons check) which is held in the pocket 140 on the opposite cover panel of the bill folder. The references to Galiani and Dempsey et al fail to teach or suggest a light emitting source for directing light onto a sheet substrate, and wherein a light emitting source includes a backlight device for directing light outwardly therefrom and through the sheet substrate place thereon, as specifically recited in Applicant's claim 28.

Accordingly, it is respectfully submitted that the rejection of Applicant's independent claim 28 under 35 U.S.C. 103 (a) has been overcome.

Applicant's independent claim 32 recites a booklet comprising a top cover and a bottom cover, an inner face of the bottom cover being structured and disposed for holding a sheet substrate thereon, and a light emitting

device for illuminating the sheet substrate. Again, as previously noted, the light 150 in Masden is specifically structured and intended for throwing a light directionally on the tip calculator 160 directly below the light 150. The light 150 in Masden is not structured or intended for directing light onto a sheet substrate held on the bottom cover panel of the booklet (i.e. within the pocket 140). The references to Galiani and Dempsey et al fail to teach or suggest a light emitting device for illuminating a sheet substrate held on the booklet.

Accordingly, it is respectfully submitted that the rejection of Applicant's independent claim 32 under 35 U.S.C. 103 (a) based on the combination of Masden, Galiani, and Dempsey et al has been overcome.

Since no where on the prior art is Applicant's invention, as now claimed, to be found, taught or suggested, it is respectfully submitted that this application is now in condition for allowance.

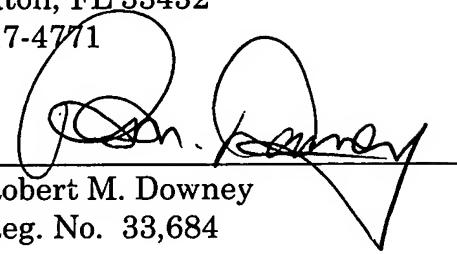
Considering the foregoing arguments, and the absence of prior art that teaches or suggests a guest check presenter booklet having a light emitting device for illuminating a restaurant check held within the booklet it is respectfully submitted that this application is now in condition for allowance.

For all of the reasons advanced above, Applicant respectfully requests the Examiner to reconsider the allowability of Applicant's claims 21, 22, 25-28, 32 and 34-37 and to pass this case to allowance.

Respectfully submitted,

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